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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/658,742	09/11/2000	Heath A. Lynn	07844-410001	4153

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EXAMINER	
SCHLAIFER, JONATHAN D	

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/658,742	LYNN ET AL.	
	Examiner	Art Unit	
	Jonathan D. Schlaifer	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 May 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2 and 4-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2 and 4-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 September 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *5/14/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to an amendment to application 09/658,742 filed on 5/12/2004, with prior art filed 5/12/2004.
2. Claims 1-2 and 4-19 are pending in the case. Claims 1, 7, 10, and 13 are independent claims. Claim 3 has been cancelled.
3. Claims 1, 6, 7, 10, 13, 14, and 17 have been amended. Claims 18 and 19 are new.
4. The rejections of claims 1-2, 7, 10, and 13-14 as being rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft Corporation ("Microsoft Word: User's Guide", Version 6.0, 1993-1994) are withdrawn as necessitated by amendment.
5. The rejections of claims 3-6, 8-9, 11-12, and 15-17 as being rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Corporation further in view of Muskovitz are withdrawn as necessitated by amendment.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claims 1-2, 7, 10, 13-14, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Corporation ("Microsoft Word: User's Guide", Version 6.0, 1993-1994), further in view of Hollingsworth et al. (USPN 5,444,836—filing date 3/10/1994), hereinafter.**

7. **Regarding independent claim 1,** Microsoft Word discloses a layout editing system for arranging page structural elements in an electronic document (Microsoft Word is a word processor), comprising: a display device (Microsoft Word requires a screen); a first supply device to provide an electronic document having a plurality of first attraction points arranged on a grid to the display device (on page 392, Microsoft Corporation discloses the grid in Microsoft Word); a second supply device to provide a page structural element on the electronic document, the page structural element having a plurality of second attraction points to adjust a position of the page structural element (on page 392, there are objects which have frames and handles; on page 387, a freeform shape has attraction points); a movement device to move said page structural element to a desired location in said electronic document in response to a manual user operation (a mouse is used to move and manipulate drawing objects). However, Microsoft Corporation fails to disclose that the movement is without deformation of the object and an attraction state control to control attraction of the plurality of second attraction points that can be activated so that only a single one of the plurality of second attraction points is attractive to snap the page structural element to a first attraction point while said page structural element is being moved by said movement device. However, Hollingsworth discloses that a single point is aligned to a grid in col. 1, lines 35-50, and this inherently involves activating input that allows the user to cause this alignment. The advantage that Hollingsworth provides on col. 1, lines 49-51, is "that all graphical objects have a similar relationship to standard dimensional grid positions on the graphical image". It would have been obvious to one of ordinary skill in the art at the time of the invention to use

Hollingsworth's selectivity for one point in conjunction with Microsoft Corporation's invention in order to help ensure the relationship between graphical objects and the grid.

8. **Regarding dependent claim 2,** Microsoft Corporation discloses the use of a mouse, which is a pointing device, where items are kept in a held state by keeping the button down (see page 389).

9. **Regarding independent claim 7,** Microsoft Corporation discloses a layout editing method for arranging page structural elements in an electronic document (Microsoft Word is a word processor), comprising: displaying an electronic document having a plurality of first attraction points arranged on a grid (Microsoft Word has a grid and monitor, as revealed on page 392); displaying a page structural element on the electronic document, the page structural element having plurality of second attraction points (drawing elements in Microsoft Word obey this, as shown on page 392), holding said page structural element and activating a single one of the plurality of second attraction points wherein a button of a pointing device linked to the cursor is pressed down at the time of detecting the cursor position (this behavior would follow from the use of handles to reshape freeform shapes, on page 387); and (this behavior would follow from the use of handles to reshape freeform shapes, on page 387). Microsoft Corporation fails to disclose that the selection is such that only a single second attraction point nearest to said cursor is in an attractive state and when said point device is operated in a holding state and said cursor is moved, linking the page structural element to movement of said cursor and moving said page structural element without deformation such that the single second attraction point is attractive to snap the page structural element to a first attraction point.

However, Hollingsworth discloses that a single point is aligned to a grid in col. 1, lines 35-50, and this inherently involves activating input that allows the user to cause this alignment. The advantage that Hollingsworth provides on col. 1, lines 49-51, is "that all graphical objects have a similar relationship to standard dimensional grid positions on the graphical image". It would have been obvious to one of ordinary skill in the art at the time of the invention to use Hollingsworth's selectivity for one point in conjunction with Microsoft Corporation's invention in order to help ensure the relationship between graphical objects and the grid.

10. **Regarding independent claim 10,** it is an apparatus that performs the method of claim 7 and is rejected under similar rationale.
11. **Regarding independent claim 13,** it is essentially analogous to Claim 1, and may be rejected under the same rationale.
12. **Regarding dependent claim 14,** Microsoft Corporation discloses the use of a mouse, which is a pointing device, which causes the processor to select the second attraction point (see page 389).
13. **Regarding dependent claim 18,** Microsoft Corporation discloses on pages 392 that objects have bounding boxes.
14. **Regarding dependent claim 19,** Microsoft Corporation disclose that the movement device comprises a cursor displayed on the display device (on page 393, the movement is controlled by clicking), but Microsoft Corporation fails to disclose that the attraction state control activates only a single second attraction point nearest to the cursor attractive when the cursor is positioned inside the page structural frame and the page structural

elemtn is being held by the movement device. However, Hollingsworth discloses that a single point is aligned to a grid in col. 1, lines 35-50, and this inherently involves activating input that allows the user to cause this alignment. The advantage that Hollingsworth provides on col. 1, lines 49-51, is "that all graphical objects have a similar relationship to standard dimensional grid positions on the graphical image". It would have been obvious to one of ordinary skill in the art at the time of the invention to use Hollingsworth's selectivity for one point in conjunction with Microsoft Corporation's invention in order to help ensure the relationship between graphical objects and the grid.

15. **Claims 3-6, 8-9, 11-12, and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Corporation further in view of Hollingsworth further in view of Muskovitz et al. (USPN 5,175,806—filing date 3/28/1999), hereinafter Muskovitz**

16. **Regarding dependent claim 4,** Microsoft Corporation and Hollingsworth fail to disclose a system further comprising an attractive operation mode setting mechanism to selectively set a first attractive operation mode that sets a state of attracting to all of said plurality of first attraction points, and a second attractive operation mode that sets a state of attracting only to a selected predetermined pattern within said plurality of first attraction points. However, Muskovitz discloses the use of separate attractive grids for different classes of points in col. 4, lines 48-68 and col. 5, lines 1-32, in order to help organize and manipulate different categories of drawing elements. It would have been obvious to one of ordinary skill in the art at the time of the invention to use separate grids

(with corresponding modes) in order to help organize and manipulate different categories of drawing elements.

17. **Regarding dependent claim 5,** Microsoft Corporation and Muskovitz fail to disclose that said attractive operation mode setting mechanism comprises a predetermined specified key on the keyboard, and said second attractive operation mode is set by holding specified key pressed down. However, it was notoriously well known in the art at the time of the invention that it is typical to switch between modes by holding a key pressed down (such as the Shift key) because this is a convenient and easy means of switching modes. It would have been obvious to one of ordinary skill in the art at the time of the invention to switch between modes by holding a key pressed down (such as the Shift key) because this is a convenient and easy means of switching modes.
18. **Regarding dependent claim 6,** Microsoft Corporation indicates on page 387 that Microsoft Word incorporated a cursor and that the closest "handle" point was manipulated when selected.
19. **Regarding dependent claim 8,** Microsoft Corporation and Hollingsworth fail to disclose a method further comprising the step of selecting a first attractive operation mode that sets a state of attracting to all of said plurality of first attraction points, and second attractive operation mode that sets a state of attracting only to a selected predetermined pattern within said plurality of first attraction points. However, Muskovitz discloses the use of separate attractive grids for different classes of points in col. 4, lines 48-68 and col. 5, lines 1-32, in order to help organize and manipulate different categories of drawing elements. It would have been obvious to one of ordinary skill in the art at the time of the

invention to use separate grids (with corresponding modes) in order to help organize and manipulate different categories of drawing elements.

20. **Regarding dependent claim 9,** Microsoft Corporation and Hollingsworth and Muskovitz fail to disclose a method wherein said first or second attractive operation mode is selected depending on whether a predetermined specified key on the keyboard is pressed down or released respectively. However, it was notoriously well known in the art at the time of the invention that it is typical to switch between modes by holding a key pressed down (such as the Shift key) because this is a convenient and easy means of switching modes. It would have been obvious to one of ordinary skill in the art at the time of the invention to switch between modes by holding a key pressed down (such as the Shift key) because this is a convenient and easy means of switching modes.

21. **Regarding independent claim 11,** it is an apparatus that performs the method of claim 8 and is rejected under similar rationale.

22. **Regarding independent claim 12,** it is an apparatus that performs the method of claim 9 and is rejected under similar rationale.

23. **Regarding dependent claim 15,** Microsoft Corporation and Hollingsworth fail to disclose a system further comprising the step of selecting a first attractive operation mode that sets a state of attracting to all of said plurality of first attraction points, and second attractive operation mode that sets a state of attracting only to a selected predetermined pattern within said plurality of first attraction points. However, Muskovitz discloses the use of separate attractive grids for different classes of points in col. 4, lines 48-68 and col. 5, lines 1-32, in order to help organize and manipulate different categories of drawing

elements. It would have been obvious to one of ordinary skill in the art at the time of the invention to use separate grids (with corresponding modes) in order to help organize and manipulate different categories of drawing elements.

24. **Regarding dependent claim 16,** Microsoft Corporation and Hollingsworth and Muskovitz fail to disclose a method wherein the processor selects one of the first and second attractive operation modes based on user input on the keyboard. However, it was notoriously well known in the art at the time of the invention that it is typical to switch between modes by holding a key pressed down (such as the Shift key) because this is a convenient and easy means of switching modes. It would have been obvious to one of ordinary skill in the art at the time of the invention to switch between modes by holding a key pressed down (such as the Shift key) because this is a convenient and easy means of switching modes.

25. **Regarding dependent claim 17,** Microsoft Corporation indicates on page 387 that Microsoft Word incorporated a cursor and that the closest "handle" point was manipulated when selected.

Response to Amendment

26. Applicant's arguments with respect to claims 1-2 and 4-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN 6,359,630 B1 (filing date 6/14/1999)—Morse et al.

USPN 6,088,520 (filing date 11/13/1997)—Taoka et al.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan D. Schlaifer whose telephone number is (571) 272-4129. The examiner can normally be reached on 8:30-5:00, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS

SANJIV SHAH
PRIMARY EXAMINER